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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |  |
|-------------------|-------------|----------------------|---------------------|------------------|--|
| 10/751,745        | 01/05/2004  | Nobuhide Morie       | 9333/366            | 5625             |  |
| 74989             | 7590        | 06/03/2008           | EXAMINER            |                  |  |
| ALPINE/BHGL       |             | NGUYEN, CUONG H      |                     |                  |  |
| P.O. Box 10395    |             | ART UNIT             |                     | PAPER NUMBER     |  |
| Chicago, IL 60610 |             | 3661                 |                     |                  |  |
|                   |             | MAIL DATE            |                     | DELIVERY MODE    |  |
|                   |             | 06/03/2008           |                     | PAPER            |  |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                        |                     |
|------------------------------|------------------------|---------------------|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |
|                              | 10/751,745             | MORIE, NOBUHIDE     |
|                              | <b>Examiner</b>        | <b>Art Unit</b>     |
|                              | CUONG H. NGUYEN        | 3661                |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 08 February 2008.

2a) This action is **FINAL**.                            2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-13 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-13 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 1/05/2004 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_.

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.  
 5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_.

### **Status of the claims**

1. This communication is the answer to a paper filed on 2/08/08. Claims 1-16 are currently pending. Claims 1-13 are elected for examination on 8/08/2007.

### **Priority**

2. This application has a Japanese application 2003-000622 dated 1/06/2003.

### **Drawing Objections**

3. This application has been filed with 4 sheets of formal drawings, and they are accepted for examinations.

According to pending claims, there should be 2 different windows in one representation (i.e., a driver would see both FIG.2A & FIG. 2B in one display); however, this claimed detail is not shown (as in one single display); corrections are required.

### **Response**

4. The examiner submits that there is an interference with JP 2000-005376 filed on Jan. 14, 2000 (see an English translation of this document from US Pub. 20060036364 – 2/16/2006; wherein claims 1, 3, and FIG. 8 show a display of both a detailed window 3000, and a simple road 3020 extended outside that window) by Shigeru Matsuo (Hitachinaka, JP), Kimiyoshi Machii (Hitachi, JP), Katsuaki Tanaka (Hitachi, JP), Kozo Nakamura (Hitachiota, JP), Yoshinori Endo (Mito, JP), Michio Morioka (Hitachi, JP), and Yoshitaka Sumitomo (Hitachinaka, JP).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

5. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuo et al. (US Pub. 20060036364).

As per claim 13: The rationales and references for a rejection of claim 12 are incorporated.

Hirai et al. already disclose about using a wide-area map in navigation.

See Hirai et al., US 20020156739 A1 (Publication 10/24/2002)

TITLE: Navigation apparatus and programDetail Description Paragraph:

[0090] In each of the above examples, a map-data-open area is specified by a rectangle, a country, or administrative district. However, the system may be so configured that a map type (e.g., a wide area map, a detailed map, or a city map) and/or service level, e.g., only map display or map display plus guidances, can be designated in accordance with a use fee. This makes it possible to set an area that is more suitable for a user's purposes such as display only in France, display plus guidance in Germany, and additional display of a city map in Italy.

A motivation is obvious that a wide area map is useful for estimation and observation in navigation by users.

### ***Conclusion***

6. Claims 1-13 are not patentable.
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CUONG H. NGUYEN whose telephone number is 571-272-6759. The examiner can normally be reached on 9:30 am - 5:30 pm.  
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THOMAS G. BLACK can be reached on 571-272-6956. The Rightfax number for the organization where this application is assigned is 571-273-6759.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Please provide support, with page and line numbers, for any amended or new claim in an effort to help advance prosecution; otherwise any new claim language that is introduced in an amended or new claim may be considered as new matter, especially if the Application is a Jumbo Application.

/CUONG H. NGUYEN/  
Primary Examiner  
Art Unit 3661